

REMARKS

The Official Action mailed September 16, 2008, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on December 12, 2003; February 25, 2004; September 21, 2004; May 10, 2005; April 21, 2006; March 13, 2007; August 16, 2007; April 16, 2008; and July 8, 2008.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1, 2, 4, 5, 7, 8, 10-12 and 14-37 were pending in the present application prior to the above amendment. (Although the Office Action Summary includes claims 3 and 6 in the list of pending and rejected claims, it is noted that claims 3 and 6 were canceled without prejudice or disclaimer in the Amendment filed August 16, 2007. Therefore, the status of previously pending claims is as set forth above.) The features of dependent claims 16, 20, 24 and 28 have been incorporated into independent claims 1, 4, 7 and 10, respectively; claims 1, 2, 4, 5, 7, 8, 10-12, 14, 15, 17-19, 21-23, 25-27 and 29-37 have been amended to better recite the features of the present invention; and new claims 38-53 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1, 2, 4, 5, 7, 8, 10-12, 14, 15, 17-19, 21-23, 25-27 and 29-53 are now pending in the present application, of which claims 1, 4, 7 and 10 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 4 of the Official Action continues to object to the title as not descriptive. The Applicant notes that the objection to the title does not specifically explain why the title, "IC CARD INCLUDING DISPLAY DEVICE" is not descriptive. In

any event, in response, the title has been changed to "ARTICLE HAVING DISPLAY DEVICE" and the preamble of each of the claims has been amended to recite an "article." The claims already recite "a display device." If the presently amended title is not sufficiently descriptive, the Applicant respectfully requests that the Examiner further clarify why the title is not descriptive or, if possible, suggest a title believed to be sufficiently descriptive. Reconsideration of the objection is requested.

Paragraphs 4-58 of the Official Action reject claims 1, 2, 4, 5, 7, 8, 10-12 and 14-37 as obvious based on the combination of U.S. Patent No. 5,436,744 to Arledge, U.S. Patent No. 5,567,967 to Kusumoto and U.S. Patent No. 6,002,605 to Iwasaki, either alone or in combination with one or more of the following: page 2 of the present specification, which the Official Action refers to as "Applicant's Admitted Prior Art (AAPA)," U.S. Patent No. 6,456,353 to Chen, and U.S. Patent No. 6,019,284 to Freeman. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See

also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).


The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Specifically, at this opportunity, the features of dependent claims 16, 20, 24 and 28 have been incorporated into independent claims 1, 4, 7 and 10, respectively. Specifically, the independent claims have been amended to recite a display device mounted on one side of a substrate by an adhesive agent. Also, claims 1, 4, 7 and 10 have been amended to recite a sealant, wherein the substrate, the display device, and a thin film integrated circuit are sealed with the sealant so that a pixel portion of the display device is exposed. These features are supported in the present specification, for example, by page 23, line 22, to page 24, line 5. The Applicant respectfully submits that Arledge, Kusumoto, Iwasaki, AAPA, Chen and Freeman, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Arledge, Kusumoto, Iwasaki, AAPA, Chen and Freeman do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 38-53 have been added to recite additional protection to which the Applicant is entitled. The features of claims 38-41, 42-45 and 46-49 are supported in the present specification, for example, by page 8, lines 4-6; page 19, lines 4-7; and page 19, lines 12-14, respectively. The features of claims 50-53 are supported in the present specification, for example, by the original claims. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 38-53 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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